

**Notice of Allowability**

Application No.

10/728,786

Applicant(s)

KOBAYASHI ET AL.

Examiner

TAN Q. NGUYEN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/22/2005.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

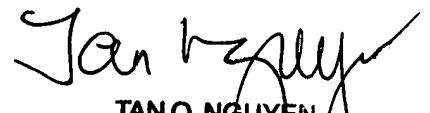
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
TAN Q. NGUYEN  
PRIMARY EXAMINER

### **EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

1. This communication is an Examiner's reasons for allowance in response to the Request for Continued Examination (RCE) application filed on August 22, 2005, serial 10/728,786 and titled "WHEEL SPEED CALCULATION METHOD".
2. The following is the Examiner's statement of reasons for the indication of allowable subject matter:
  - a. After carefully reviewing the application in light of the prior art of record and the search of all the possible areas relevant to the present application, a set of related prior art references has been found, but those prior art references are not deemed strong to make the application unpatentable. Thus, it is found that the application is now in condition for allowance.
  - b. Although the prior art disclose several claimed limitations, none of the references teaches a wheel speed calculation method for calculating wheel speed at the calculation timing of a given period based on a pulse signal provided by shaping the waveform of a detection signal from a wheel speed sensor which includes a rotor with plurality of detected elements rotating with wheel, wherein when both rising and falling edges occur in the present calculation period, wheel speed VW is calculated as recited in claims 1, 4, 8 when a rising edge does not occur although a falling edge occurs in the present calculation period, the value of VW1 or VW2, whichever lower, is selected as the wheel speed (see the equations of the VW1 and VW2 in claims 1, 5 and 10), when a falling edge does not occur although a rising edge occurs in the present calculation period, the value VW3 or VW4, whichever is the lower, is selected as the wheel speed (see the equations for the VW3 and VW4 in claims 1, 5 and 10), when neither a rising edge nor a falling edge is the present calculation period, a comparison is made between

Art Unit: 3661

the minimum value of VW5 to VW7 and the preceding wheel speed VW and the minimum value or the preceding wheel speed VW, whichever is the lower, is selected as the present wheel speed (see the equations for the VW5 to VW7 as recited in claims 1, 5 and 10).

c. Claims 1-15 are allowable over the prior art of record.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

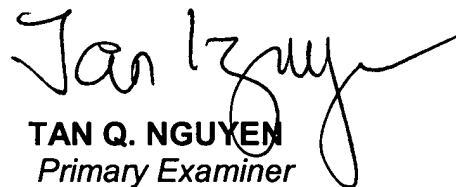
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to the Central Fax: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tqn  
November 11, 2005  
(571) 272-6966

  
**TAN Q. NGUYEN**  
Primary Examiner  
Art Unit 3661